

# **Agricultural Land and Forestry Resources**

## **Chapter 3.2**

### **SUMMARY OF FINDINGS**

The proposed Project will result in less than significant impacts to Agricultural Land and Forestry Resources. No mitigation measures will be required. A detailed review of potential impacts is provided in the analysis below.

### **INTRODUCTION**

#### California Environmental Quality Act (CEQA) Requirements

This section of the Draft Environmental Impact Report (DEIR) addresses potential impacts to Agricultural Land and Forestry Resources. As required in Section 15126, all phases of the proposed Project will be considered as part of the potential environmental impact.

As noted in Section 15126.2 a), “[a]n EIR shall identify and focus on the significant environmental effects of the proposed Project. In assessing the impact of a proposed Project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the Project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the Project might cause by bringing development and people into the area affected. For example, an EIR on a subdivision astride an active fault line should identify as a significant effect the seismic hazard to future occupants of the subdivision. The subdivision will have the effect of attracting people to the location and exposing them to the hazards found there. Similarly, the EIR should evaluate any potentially significant impacts of locating development in other areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas) as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas.”<sup>1</sup>

The environmental setting provides a description of the Agricultural Lands and Forestry Resources in the County. The regulatory setting provides a description of applicable Federal,

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<sup>1</sup> 2012 CEQA Guidelines, Section 15126.2 (a)

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State and Local regulatory policies that were developed in part from information contained in the Tulare County 2030 General Plan, the Tulare County General Plan Background Report and/or the Tulare County General Plan Revised DEIR incorporated by reference and summarized below. Additional documents utilized are noted as appropriate. A description of the potential impacts of the proposed Project is provided and includes the identification of feasible mitigation measures (if necessary and feasible) to avoid or lessen the impacts.

### Thresholds of Significance

The Department of Conservation identifies the location of prime Agricultural Land resource areas and Williamson Act Contract lands. Thresholds of potential significance will include the following:

- Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance
- Conflict with Williamson Act Contracts
- Convert Forest Land

## ENVIRONMENTAL SETTING

“Tulare County exhibits a diverse ecosystems landscape created through the extensive amount of topographic relief (elevations range from approximately 200 to 14,000 feet above sea level). The County is essentially divided into three eco-regions. The majority of the western portion of the County comprises the Great Valley Section, the majority of the eastern portion of the County is in the Sierra Nevada Section, and a small section between these two sections comprises the Sierra Nevada Foothill Area.”<sup>2</sup>

### Agricultural Productivity

The Project site is located in the San Joaquin Valley portion of Tulare County. This area is characterized by rich, highly productive farmland. Agriculture is the most important sector in Tulare County’s economy, and agriculture and related industries make Tulare County one of the two most productive agricultural counties in the United States, according to Tulare County Farm Bureau statistics.<sup>34</sup> Agricultural lands (crop and commodity production and grazing) also provide the County’s most visible source of open space lands. As such, the protection of agricultural lands and continued growth and production of agriculture industries is essential to all County residents.”<sup>5</sup>

The *2011 Tulare County Annual Crop and Livestock Report* listed Tulare County’s total gross production value for 2011 as \$5,629,396,000. Milk was the leading agricultural commodity in Tulare County in 2011, representing 37% of the total crop and livestock value. The 2011 report

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<sup>2</sup> Tulare County 2030 General Plan RDEIR, page 3.11-5

<sup>3</sup> Tulare County Farm Bureau, “Agricultural Facts,” <http://www.tulcofb.org/index.php?page=agfacts>

<sup>4</sup> Tulare County Agricultural Commissioner, 2011 Tulare County Agricultural Crop and Livestock Report, <http://agcomm.co.tulare.ca.us/default/index.cfm/standards-and-quarantine/crop-reports1/>

<sup>5</sup> Tulare County 2030 General Plan, page 3-4

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listed over 120 different commodities, forty-three of which had a gross value greater than \$1 million. The top agricultural commodities in the County in 2011, based on total/gross value were milk, oranges, cattle, grapes, corn – grain silage, and alfalfa (source: 2011 Tulare County Annual Crop and Livestock Report prepared by the office of the Tulare County Agricultural Commissioner/Sealer, published June 2012).

According to the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP, 2010), agricultural lands in Tulare County included 859,991 acres of important farmland (designated as FMMP Prime, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance) and 440,042 acres of grazing land, for a total of 1,300,033 acres of agricultural land.

According to the Tulare County Subvention Report (November 21, 2012), Much of Tulare County's farmland is under California Land Conservation Act (Williamson Act) contracts, a program designed to prevent premature conversion of farmland to residential or other urban uses. As of January 1, 2012, there were 1,096,299 acres of farmland under Williamson Act or Farmland Security Zone contracts in Tulare County. This total includes 571,904 acres of Williamson Act prime, 513,243 acres nonprime, and 11,152 acres of Farmland Security Zone lands (The acreage totals also include 6040 acres Williamson Act prime contracted land in nonrenewal and 7513 acres of Williamson Act nonprime in nonrenewal.)

**Table 3.2-1:  
2012 Tulare County Lands under Williamson Act or Farmland Security Zone Contracts**

Acres	Category
571,904	*Total prime = Prime active + NR Prime
513,243	*Total Nonprime = Nonprime active + NR Prime
11,152	Farmland Security Zone
1,096,299	TOTAL ACRES in Williamson Act and Farmland Security Zone contracts

*\*Prime total includes 6039.75 acres in nonrenewal; Nonprime total includes 7512.56 acres in nonrenewal*  
Source: Data compiled from 2012 Tulare County Subvention Report

### Important Farmland Trends

Using data collected by the FMMP, farmland acreage has been consistently decreasing for each two-year period since 1998. In the 2010 FMMP analysis, Tulare County lost 17,502 acres of important farmland, and 17,748 acres of total farmland between 2008 and 2010.<sup>6</sup>

“For Tulare County and the surrounding region, the reported major cause of this conversion is the downgrading of important farmlands to other agricultural uses (e.g., such as expanded or new livestock facilities, replacing irrigated farmland with non-irrigated crops, or land that has been fallow for six years or longer).”<sup>7</sup>

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<sup>6</sup> California Department of Conservation, Division of Land Resource Protection, FMMP, “Tulare County 2008-2010 Land Use Conversion” Report, Table A-44

<sup>7</sup> Tulare County 2030 General Plan RDEIR, page 3.10 to 3.13







## Forest Lands

“Timberlands that are available for harvesting are located in the eastern portion of Tulare County in the Sequoia National Forest. Hardwoods found in the Sequoia National Forest are occasionally harvested for fuel wood, in addition to use for timber production. Since most of the timberlands are located in Sequoia National Forest, the U.S. Forest Service has principal jurisdiction, which encompasses over 3 million acres. The U.S. Forest Service leases these federal lands for timber harvests.”<sup>8</sup>

## **REGULATORY SETTING**

### *Federal Agencies & Regulations*

#### Federal Farmland Protection Act (FPPA)

“The FPPA is intended to minimize the impact Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that to the extent possible federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland... Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency.”<sup>9</sup>

#### US Forest Service

“The U.S. Department of Agriculture Forest Service is a Federal agency that manages public lands in national forests and grasslands. The Forest Service is also the largest forestry research organization in the world, and provides technical and financial assistance to state and private forestry agencies. Gifford Pinchot, the first Chief of the Forest Service, summed up the purpose of the Forest Service—“to provide the greatest amount of good for the greatest amount of people in the long run.””<sup>10</sup>

### *State Agencies & Regulations*

#### California Department of Conservation: Farmland Mapping and Monitoring Program

“The California Department of Conservation (DOC), under the Division of Land Resource Protection, has developed the Farmland Mapping and Monitoring Program (FMMP), which monitors the conversion of the state’s farmland to and from agricultural use. Data is collected at the county level to produce a series of maps identifying eight land use classifications using a minimum mapping unit of 10 acres. The program also produces a biannual report on the amount of land converted from agricultural to non-agricultural use. The program maintains an inventory

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<sup>8</sup> General Plan Background Report, page 4-17

<sup>9</sup> Federal Farmland Protection Act, <http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/alphabetical/fppa>

<sup>10</sup> US Forest Service, “About Us – Meet the Forest Service”, <http://www.fs.fed.us/aboutus/meetfs.shtml>

of state agricultural land and updates the “Important Farmland Series Maps” every two years (Department of Conservation, 2000).”<sup>11</sup>

#### Williamson Act: California Land Conservation Act of 1965

“The California Land Conservation Act (CLCA) of 1965, Sections 51200 et seq. of the California Government Code, commonly referred to as the “Williamson Act”, enables local governments to restrict the use of specific parcels of land to agricultural or related open space use. Landowners enter into contracts with participating cities and counties and agree to restrict their land to agriculture or open space use for a minimum of ten years. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market (speculative) value. Local governments receive an annual subvention of forgone property tax revenues from the state via the Open Space Subvention Act of 1971.”<sup>12</sup>

#### California Department of Forestry and Fire Protection (CAL FIRE)

“CAL FIRE manages eight Demonstration State Forests that provide for commercial timber production, public recreation, and research and demonstration of good forest management practices. CAL FIRE foresters can be found in urban areas working to increase the number of trees planted in our cities, or preventing the spread of disease by identifying and removing infected trees. A Native American burial ground in the path of a logging operation or fire may be verified and saved due to a CAL FIRE archaeologist's review of the area. And, an improved strain of trees, resistant to disease and pests, may be nurtured and introduced by a CAL FIRE forester.”<sup>13</sup>

### ***Local Policy & Regulations***

#### Tulare County General Plan Policies

The General Plan has policies that apply to projects within Tulare County. General Plan policies that are applicable to the proposed Project are listed below.

#### **AG-1.3 Williamson Act**

The County should promote the use of the California Land Conservation Act (Williamson Act) on all agricultural lands throughout the County located outside established UDBs. However, this policy carries with it a caveat that support for the Williamson Act as a tax reduction component is premised on continued funding of the State subvention program that offsets the loss of property taxes.

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<sup>11</sup> General Plan Background Report, page 4-12

<sup>12</sup> Ibid. Page 4-13

<sup>13</sup> California Department of Forestry and Fire Protection, <http://www.fire.ca.gov/about/about.php>

#### **AG-2.6 Biotechnology and Biofuels**

The County shall encourage the location of industrial and research oriented businesses specializing in biotechnologies and biofuels that can enhance agricultural productivity, enhance food processing activities in the County, provide for new agriculturally-related products and markets, or otherwise enhance the agricultural sector in the County.

#### **AG-2.11 Energy Production**

The County shall encourage and support the development of new agricultural related industries featuring alternative energy, utilization of agricultural waste, and solar or wind farms.

### **IMPACT EVALUATION**

**In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:**

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural uses?**

Project Impact Analysis:                      *Less than Significant Impact*

The proposed Project has two components, 1) operational expansion of the composting facility, and 2) a new Anaerobic Digester and Natural Gas Station. The composting facility will not use additional land and will be limited to the current footprint of the existing use. The Anaerobic Digester will be located on an existing unloading area, and will not convert agricultural land. The proposed Natural Gas Station will be located on a site adjacent to the existing facility.

Although the Proposed Project is surrounded by agricultural uses, the project is located in an area designated on the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) 2010 Important Farmland Map for Tulare County as "Semi-Agricultural and Rural Commercial Land," and will not impact Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.<sup>14</sup> No Project specific impacts related to this checklist item will occur.

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<sup>14</sup> Department of Conservation, FMMP Tulare County Important Farmland 2010," [ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/tul10\\_so.pdf](ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/tul10_so.pdf)



Cumulative Impact Analysis:      ***Less than Significant Impact***

The geographic area of this cumulative analysis is the entire State of California. This cumulative analysis is based on the Statewide FMMP map provided by the California Department of Conservation.

The Project site is not located on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Project site is located adjacent to prime farmland. However, the proposed expansion will not result in the conversion of these adjacent parcels or induce the conversion of these adjacent parcels to a non-agricultural use.

The proposed Project will help corollary agribusinesses by processing waste materials. The services to be provided by the proposed Project will have a cumulative benefit on agricultural lands as it will benefit agribusinesses. Therefore, no cumulative impacts related to this checklist item will occur.

Mitigation Measures:

**None required.**

Conclusion:      ***Less than Significant Impact***

As noted above, no Project specific or cumulative impacts will occur.

**b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

Project Impact Analysis:      ***No Impact***

The Project site is zone AE-40 (Exclusive Agricultural – 40 acre minimum). The composting operation and the proposed anaerobic digester are allowed uses in the AE-40 zone with a Special Use Permit.

The proposed Project site has two parcels under Williamson Act Contracts: Assessors Parcel Number (APN) 150-140-016 is in Agricultural Preserve No. 2745, Contract No. 8159 and APN 150-140-014 is in Agricultural Preserve No. 650, Contract No. 3603. The Williamson Act (Act) authorizes the Department of Conservation oversight of the Act, and local governments have primary responsibility for implementing the program. Government Code section 51238.1 addresses compatibility requirements on Williamson Act contracted lands. The Act grants cities and counties broad discretion in adopting local rules defining allowable (compatible) uses on all parcels under contract within agricultural preserves (Government Code Section 51231). In Tulare County, allowed agricultural and compatible uses on Williamson Act contracted lands are defined in Board of Supervisors Resolution No. 89-1275 (“Uniform Rules for Agricultural Uses”). Uses in agricultural zones (including the AE-40 zone) allowed either by right or with a Special Use Permit are determined to be

compatible uses under the Williamson Act. Therefore, no Project specific impacts related to this checklist item will occur.

Cumulative Impact Analysis:     ***No Impact***

The geographic area of this cumulative analysis is the entire State of California. This cumulative analysis is based on provisions of the California Land Conservation Act of 1965 (Williamson Act) and on Tulare County allowed uses in agricultural zones.

The proposed Project will not result in conversion of prime farmland to a non-agricultural use. While there are Williamson Act-contracted lands adjacent to the Project site, it is not anticipated that the expansion of the existing use will cause the conversion of adjacent agricultural uses. The proposed Project will benefit corollary businesses and will have cumulative benefits. Therefore, less than significant cumulative impacts related to this checklist item will occur. As such, no cumulative impacts related to this checklist item will occur.

Mitigation Measures:

**None Required.**

Conclusion:                             ***No Impact***

As noted above, no Project specific or cumulative impacts will occur.

- c) Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code § 12220(q), timberland (as defined by Public Resources Code § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?**

Project Impact Analysis:             ***No Impact***

The Project site and surrounding areas are located in the Valley portion of Tulare County and have agricultural zoning. The area contains no lands zoned or identified as forest land or timberland. The Project site is zoned as AE-40 (Exclusive Agricultural Zone – 40 Acre Minimum). The proposed Project will not conflict with existing zoning for forest land or cause rezoning of forest land. As such, no Project specific impacts to this checklist item will occur.

Cumulative Impact Analysis:     ***No Impact***

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The proposed Project is not located within a forestland zone or would require the change of a forestland zone. As such no cumulative impacts to this checklist item will occur.

Mitigation Measures:

**None Required.**

Conclusion: *No Impact*

As noted above, no Project specific or cumulative impacts to this checklist item will occur.

**d) Result in the loss of forest land or conversion of forest land to non-forest use?**

Project Impact Analysis: *No Impact*

As noted above, the proposed Project is not located within a forest land zone or will require the change of a forest land zone. As such, no Project specific impacts to this checklist item will occur.

Cumulative Impact Analysis: *No Impact*

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

As noted above, the proposed Project is not located within a forest land zone or will require the change of a forest land zone. As such, no cumulative impacts to this checklist item will occur.

Mitigation Measures:

**None Required.**

Conclusion: *No Impact*

As noted above, no Project specific or cumulative impacts to this checklist item will occur.

- e) **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of agricultural use or conversion of forest land to non-forest use?**

Project Impact Analysis: ***No Impact***

As described above, the proposed Project will not result in changes to the existing environment which could result in conversion of farmland to non-agricultural uses, or a conversion of forest to non-forest uses. No Project specific impacts related to this checklist item will occur.

Cumulative Impact Analysis: ***No Impact***

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

As noted above, the proposed Project is not anticipated to impact adjacent farmland and no forest land exists near the Project. As such, no cumulative impacts to this checklist item will occur.

Mitigation Measures:

**None Required.**

Conclusion: ***No Impact***

No Project specific or cumulative impacts to this checklist item are anticipated to occur.

## **DEFINITIONS/ACRONYMS**

### Definitions

“The California Department of Conservation, Division of Land Resource Protection, maintains the Farmland Mapping and Monitoring Program (FMMP), which monitors the conversion of the state’s farmland to and from agricultural use. The map series identifies eight classifications (discussed below) and uses a minimum mapping unit size of 10 acres. The program also produces a biannual report on the amount of land converted from agricultural to non-agricultural use. The program maintains an inventory of state agricultural land and updates its “Important Farmland Series Maps” every two years. Although the program monitors a wide variety of farmland types (more fully described below), Important Farmland consists of lands classified as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland.”<sup>15</sup>

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<sup>15</sup> General Plan Update RDEIR, page 3.10-4

**Prime Farmland (P)**

“Prime Farmland is farmland with the best combination of physical and chemical features to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.”<sup>16</sup>

**Farmland of Statewide Importance (S)**

“Farmland of Statewide Importance is similar to Prime Farmland but has minor shortcomings, such as greater slopes or a lesser ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.”<sup>17</sup>

**Unique Farmland (U)**

“Unique Farmland has lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.”<sup>18</sup>

**Farmland of Local Importance (L)**

“Farmland of Local Importance is land important to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.”<sup>19</sup>

**Grazing Land (G)**

“Grazing Land is land on which the vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, the University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.”<sup>20</sup>

**Urban and Built-Up Land (D)**

“Urban and Built-Up Land is land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.”<sup>21</sup>

**Other Land (X)**

“Other Land is land not included in any other mapping category. Common examples include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.”<sup>22</sup>

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<sup>16</sup> General Plan Update RDEIR, page 3.10-4

<sup>17</sup> Ibid. page 3.10-4

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid. page 3.10-4 and 3.10-5

<sup>22</sup> Ibid. page 3.10-5

**Water (W)**

“Water is defined as perennial water bodies with an extent of at least 40 acres. While the number of agricultural lands classified as Important Farmlands (i.e., Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) have been decreasing over the past several years, the total acreage for all categories of farmland (including grazing land) remained relatively stable between the years 1998 and 2006 (see Table 3.10-4). The locations of these farmland types are identified in Figure 3.10-1. The farmlands are concentrated in the Rural Valley/Foothill Planning areas. No important farmlands are located in the Mountain Area.”<sup>23</sup>

Acronyms

(CLCA)	California Land Conservation Act (Williamson Act)
(FFPA)	Federal Farmland Protection Act
(FMMP)	Farmland Mapping and Monitoring Program

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<sup>23</sup> Ibid.



## REFERENCES

Tulare County 2030 General Plan, August 2012

California Department of Conservation (DOC), Division of Land Resource Protection (DLRP), California Land Conservation, “Williamson Act Status Report (2010)” downloaded from “Williamson Act Reports and Statistics”

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Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program, <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>

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